

FIRST REGULAR SESSION

# SENATE BILL NO. 108

94TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR WILSON.

Pre-filed December 1, 2006, and ordered printed.

TERRY L. SPIELER, Secretary.

0399S.011

## AN ACT

To repeal section 208.047, RSMo, and to enact in lieu thereof one new section relating to public assistance for foster children.

*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Section 208.047, RSMo, is repealed and one new section  
2 enacted in lieu thereof, to be known as section 208.047, to read as follows:

208.047. 1. Notwithstanding the provisions of section 208.040, [aid to  
2 dependent children] **temporary assistance for needy families** benefits may  
3 be granted to a dependent child:

4 (1) Who would meet the requirements of section 208.040, except for his **or**  
5 **her** removal from the home of a relative as a result of a judicial determination  
6 to the effect that continuation therein would be contrary to the welfare of such  
7 child;

8 (2) For whose placement and care the **children's** division [of family  
9 services] is responsible;

10 (3) Who has been placed in a foster family home or nonprofit private  
11 child-care institution as a result of such determination; and

12 (4) Who (a) received [aid to dependent children] **temporary assistance**  
13 **for needy families** benefits in and for the month in which court proceedings  
14 leading to such determination were initiated; or (b) would have received aid in or  
15 for that month if application had been made therefor; or (c) in the case of a child  
16 who had been living with a relative specified in section 208.040 within six months  
17 prior to the month in which such proceedings were initiated, would have received  
18 aid in and for such month, if in such month he had been living with, and removed  
19 from the home of, such a relative and application had been made therefor.

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

20           2. Monthly [aid to dependent children] **temporary assistance for needy**  
21 **families** benefits on behalf of a child placed in a foster family home or nonprofit  
22 private child-care institution shall not exceed one hundred dollars for each child  
23 and in the event that federal aid to states for dependent children placed in a  
24 nonprofit private child-care institution is withdrawn, benefit payments under this  
25 section shall be terminated on behalf of a dependent child in a nonprofit private  
26 child-care institution.

27           3. **Notwithstanding any other provision of law to the contrary,**  
28 **medical assistance provided to any child who is in foster care may**  
29 **extend past the child's eighteenth birthday in the following**  
30 **circumstances:**

31           (1) **If a foster child reaches age eighteen and is enrolled in and**  
32 **attending a secondary school or graduation equivalence degree program**  
33 **of instruction, and continues to attend and progresses toward**  
34 **completion of such program, the medical assistance shall continue until**  
35 **the child completes such program or reaches age nineteen, whichever**  
36 **first occurs; or**

37           (2) **If the foster child is enrolled in an institution of vocational or**  
38 **higher education not later than October first following graduation from**  
39 **a secondary school or completion of a graduation equivalence degree**  
40 **program and so long as the child enrolls for and completes at least**  
41 **twelve hours of credit each semester, not including the summer**  
42 **semester, at an institution of vocational or higher education and**  
43 **achieves grades sufficient to reenroll at such institution, the medical**  
44 **assistance shall continue until the child completes his or her education,**  
45 **or until the child reaches the age of twenty-two, whichever first occurs.**  
46 **If the circumstances of the child manifestly dictate, the division may**  
47 **wave the October first deadline for enrollment required by this**  
48 **subsection. As used in this subsection, an "institution of vocational**  
49 **education" means any postsecondary training or schooling for which the**  
50 **student is assessed a fee and attends classes regularly. "Higher**  
51 **education" means any junior college, community college, college, or**  
52 **university at which the child attends classes regularly.**